

**COVER PAGE****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Stephen G. Ballard	Docket:	102019-102
Serial No.:	10/070,078	Art Unit:	1753
Filed:	March 1, 2002	Examiner:	Kishor Mayekar
Assignee:	American Inter-Metallics, Inc.	Conf. No.	7259
Title:	APPARATUS AND METHODS FOR THE PRODUCTION OF POWDERS		

**Certificate of Mailing or Transmission by Facsimile**Date of Deposit: April 6, 2005

I hereby certify under 37 CFR 1.8(a) that the following correspondence (along with any paper referred to as being attached or enclosed) is being mailed or transmitted via facsimile to (703) 872-9306 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- (1) Cover Page - Certificate of Transmission (1 page)
- (2) Amendment Transmittal Letter (3 pages); and
- (3) Response to Office Action and attachments (13 pages).

Please contact Anthony P. Gangemi at (203) 498-4395 regarding problems with this mailing or transmission.

Signed: 

Name: Anthony P. Gangemi

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**AMENDMENT AND FEE TRANSMITTAL LETTER**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application, including a petition for a two-month extension of time under 37 CFR § 1.136(a). The fees have been calculated as shown below:

## 1. Fee Calculation (37 CFR §1.16)

## A. Entity Status

☒ Applicant claims Small Entity Status.

## B. Excess Claim Fees

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims (after Amendment) HP 44 = Extra Claims 0 x Fee (\$) 25 = Fee Paid (\$) -  
 minus 20 or HP  
 HP = highest number of total claims paid for, if greater than 20

Independent Claims (after Amendment) HP 9 = Extra Claims 0 x Fee (\$) 100 = Fee Paid (\$) -  
 minus 3 or HP  
 HP = highest number of total claims paid for, if greater than 3

Multiple dependent claims? Yes ☒ No ☒ Fee (\$) \$ 180 Fee Paid (\$) -

## C. Application Size Fee

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets (after Amendment) 20 minus 100 = Extra Sheets 0 / 50 = Each additional 50 (rounded up to a whole number) 0 x Fee (\$) 125 = Fee Paid (\$) -

## D. Other Fee(s)

Description: ☒ None

## E. Petition for Extensions of Time Under 37 CFR 1.136(a)

Applicant requests under the provisions of 37 CFR 1.136 (a) to extend the Period for filing a response in the above identified application as follows:

Months	Fee	Small Entity Fee	Total Fee
<input checked="" type="checkbox"/> One month	\$ 120.00	\$ 60.00	\$ -
<input checked="" type="checkbox"/> Two months	\$ 450.00	\$ 225.00	\$ 225.00
<input checked="" type="checkbox"/> Three months	\$ 1,020.00	\$ 510.00	\$ -
<input checked="" type="checkbox"/> Four months	\$ 1,590.00	\$ 795.00	\$ -
<input checked="" type="checkbox"/> Five months	\$ 2,160.00	\$ 1,080.00	\$ -

## F. Terminal Disclaimer

☒ A Terminal Disclaimer is attached for which the appropriate fee is:


Fee	Small Entity Fee	Total Fee
\$ 130.00	\$ 65.00	\$ -

## 2. Method of Payment of Fees

- ☒ Check in the amount of \$ -
- ☒ Charge Account No. 23-1665 in the amount of \$ 225.00
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 23-1665.

Date: April 6, 2005  
Reg. No. 42,565

Respectfully submitted,  
Stephen G. Ballard

  
Signature of Attorney  
Anthony P. Gangemi  
WIGGIN and DANA LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4395  
Facsimile: (203) 782-2889

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Name: Anthony P. Gangemi

**Mail Stop Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**REPLY TO OFFICE ACTION  
UNDER 37 C.F.R. 1.111**

**Dear Sir:**

In the matter of the above-identified application for Letters Patent and in response to the Office Action mailed November 9, 2004, for which a response is due on or before February 9, 2005, please consider the following Remarks and please enter the attached petition for a two-month extension of time, extending the period for reply to April 9, 2005:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper; and

**Remarks begin on page 12 of this paper.**